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VIA FACSIMILE to 703-872-9306

December 3, 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Timothy A. Bird, G. Duke Virca,  
Unja Martin and Dirk M. Anderson

Docket No.: 2923-US

Serial No.: 09/980,464

Examiner: Sheridan Swope

Filed: March 19, 2002

Art Unit: 1652

For: NOVEL MURINE AND HUMAN KINASES

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the Office Action dated October 4, 2004, in which the Examiner required restriction of the elected invention to the subject matter of one of the following five (5) groups of claims:

- Group I claims 1-4, 7-10, drawn to a polypeptide kinase, a polynucleotide, a vector, and a host cell encoding therefore, and a method of expression thereof
- Group II claims 5 and 6, drawn to an antibody to a polypeptide kinase
- Group III claim 11, drawn to a method for designing an inhibitor of a polypeptide kinase
- Group IV claims 12-15, drawn to a method for testing a compound for modulation of a polypeptide kinase
- Group V claims 16-20, drawn to a method for inhibiting a polypeptide kinase by blocking binding of the kinase to a substrate

Applicants elect the claims of Group I, without traverse, for examination. If any issues exist which would hinder allowance of the elected claims, the Examiner is invited to telephone the undersigned representative of the Applicants, to discuss resolution thereof.

Respectfully submitted,

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## CERTIFICATE OF TRANSMISSION VIA FACSIMILE

I hereby certify that this correspondence is being submitted via facsimile to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at 703-872-9306 on the date appearing below.

December 3, 2004  
 Date

Kathleen F. Pringle  
 Kathleen F. Pringle